



## ELECTION SYSTEM IN INDIA

Mr. Rohit Arun Pardeshi <sup>1</sup> | Mr. Dr. N. D. Chaudhari <sup>2</sup>

<sup>1</sup> Ph.D. Scholar, Jodhpur National University, Jodhpur, Rajasthan, India.

<sup>2</sup> Principal NTVS College of Law, Nandurbar, Maharashtra, India.

### ABSTRACT

Human society has been governed by king system from the time immemorial. Kings system was replaced with democracy. Democracy requires elected government. The election system in India is utilized right from local authorities to the President of India. Due to illiteracy and unawareness, majority people of the country are unknown about the importance of elections. The Elections are contested based on various issues like, emotions, religions, family backgrounds, corruption, ultra virus use of power etc. Free and fair elections the role of election commission is very crucial. The political leaders have criminalized the politics in India. Money and muscle power are used during the election period. The users of the social media like, whatsapp, tweeter, facebook, hike etc, are increasing day by day. The TV channels are organizing the programmes based on elections. Though Indian election system has drawbacks still it is working positively. Still it requires restrictions on misuse of official machinery, muscle and money power, using the caste or religions factors, voting should be made compulsory. Education criteria shall be introduced in the qualification for contesting the elections at all level.

**KEY WORDS:** Election, Democracy, Vote, Social Media, Education.

### 1. Introduction:

The concept of State emerges with the development of human society. Human society has been governed by king system from the time immemorial. Kings system ruled all over the world. Majority of the kings were exploiting the people for personal gain. Due to the exploitation from the kings side people started revolutions against the king system. These revolutions ultimately resulted into evolution of the concept of democracy. Democracy as defined by Abraham Lincoln "Government of the people, by the people and for the people". Democracy requires government run by the representatives of the people. The basic method of becoming representative of people is election. The election system in India is utilized right from the bottom of local authorities to the highest post of the nation i.e. the President of India. Our basic law of the land, the Constitution of India provides the fundamental right of equality which inter alia includes right to participate in the process of elections. Due to illiteracy and unawareness, majority people of the country are unknown about the importance of elections. Though Constitution provides equal right to participate in the election, it is a general understanding of the people that elections can be contested by only rich people rather money and muscle plays very important role in the election system in India. The Elections are contested based on various issues like, emotions, religions, family backgrounds, corruption, ultra virus use of power etc. Recently the social media has played crucial role in general election in India.

### 2. Elections in India:

Democracy, or democratic government, is "a system of government in which all the people of a state or polity ... are involved in making decisions about its affairs, typically by voting to elect representatives to a parliament or similar assembly" <sup>1</sup>. Our democracy is a parliamentary democracy. We have adopted three tier systems of Government i.e. legislative, executive and judiciary. The Parliament of India consists of upper house (Rajya Sabha), lower house (Lok Sabha) and President. While at the State level it consists of two houses i.e. legislative assembly and legislative council and Governor. The President of India is elected by an electoral college consisting of members of federal legislature and state legislatures for five years term. The election of the President is conducted by the single transferable vote system. The Lok Sabha consists of 545 members which are elected by the people. The members of Rajya Sabha are elected by the legislators in the state and union territories. Rajya Sabha members are elected indirectly<sup>2</sup>.

### 3. Election Commission:

Democracy requires responsible government. Responsible government can be constituted by free and fair elections. India is the largest democracy in the world. It has a population of about 1.3 billion. One centre and more than 36 state governments are working in the country which regularly requires conducting elections. The election process gives the citizens right to constitute the government while the elected government has a constitutional right to govern the country. Election is the mechanism which controls the politicians from exploiting the citizens as they know that they have to face elections timely. People express their opinion through vote in the elections. For free and fair elections the role of election commission is very crucial. Election commission is a constitutional body. Since independence our country has witnessed elections to the legislative bodies at both the national as well as State levels. Election commission declares the dates of election. With the declaration of the dates, the code of conduct is also implemented.

Code of conduct is very essential for free and fair elections. The election commission of India has played important role by implementing the code of conduct. During the code of conduct, government can't announce new policies, ban on recruitment, ban on releasing grants etc.

### 4. Criminalization of election:

Elections are generally, contested by political parties. These political parties play politics through elections. The political leaders have criminalized the politics in India. The person with the criminal backgrounds holds seats at various institutions right from parliament to local bodies. Though the election commission has laid down various rules to prevent the criminals from contesting elections but due to the lacunae in the legal system, they still hold the political posts. The number of politicians with the criminal background is considerable in India. We have the examples of persons having criminal background has become the Chief Minister of State. Money and muscle power are used during the election period. Various rates have been fixed for casting the vote. Black money is used for winning the elections. Due to illiteracy and lack of knowledge about the importance of vote, people get easily attracted towards the money and simply vote to the person who distributed the money among them. If a loyal person wants to involve in the election process, he is attacked by the political gainers. Serious and heinous offences are committed during the election time. Though we have the anti defection law<sup>3</sup>, politics of Aaya Ram Gaya Ram is played.

### 5. Role of Social Media:

Social media is playing very important role in the election process. Election process requires the campaigning. Campaigning requires effective communication. Effective communication can be done only when it reaches to maximum people. The users of the social media like, whatsapp, tweeter, facebook, hike etc, are increasing day by day. Within seconds the message reaches to lakhs of people. It has some positive as well as negative impacts. "Social media has become the new election battleground for India's nationwide parliamentary elections," a CNN news report said. The TV channels are organizing the programmes based on elections. They invite the political party person to represent their views. The social media have been proved to be a reason to increase the voting percentage during last few years. The right to express once opinion also includes the right to know the information. Based on this right only the contesting candidates have to declare their information while filling the form for election contests.

### 6. The Required Changes:

Education plays very important role in the development of any society. We have numerous policies to increase the literacy rate of the country. But the politicians who make these policies are if they are not educationally qualified we can't expect development of the Nation. Presently the Haryana Government rightly introduced education criteria for contesting the election. The rule of vote for none<sup>4</sup> i.e. NOTA has some drawbacks. Even the person uses this NOTA, the contestant will win without his approval with less majority. A person can emerge as a leader with less percentage of votes.

The caste and religion factor are misused during the election time. The illiterate people cast their vote based on the caste and religion factor rather than the development issues. This factor is harmful in the democracy. The elections are very

expensive and a common man, however, intelligent and honest he may be, cannot fight elections. Until and unless people vote without expecting money, we will never get true leaders. The ruler politicians having their impact on the government uses government machinery during the election period and the police machinery also helps them for later official and unofficial gain.

In India, many voters particularly from urban areas do not cast their votes. The voting percentage generally is almost 50 to 60 percent. Therefore, the elected representatives are not truly representative of the people. Hence voting shall be made compulsory. The voters lose their interest in the elections and they either abstain from voting or cast their votes only as a matter of ritual. Such elections are not in the finest traditions of democracy, nor does the power of such democracies emanate from the people<sup>5</sup>.

**7. Conclusion & Suggestion:**

Though Indian election system has drawbacks still it is working positively. Being the largest democracy of the world, the election system has conducted 14 parliamentary and many more State & local elections successfully. Still it requires major changes like; the misuse of official machinery should be restricted, contesting the elections by the use of muscle and money power and should be strongly prevented. The politicians using the caste or religions factors during the elections should be debarred from contesting elections. Democracy requires participation of people in the formation of government hence voting should be made compulsory. The social media plays important role in the elections. The social media shall be used with regulations in the development of election system. Education criteria shall be introduced in the qualification for contesting the elections at all level. The elections disputes shall be disposed off expediently so that the ineligible candidate shall not misuse political positions.

**REFERENCES**

1. As defined by the Oxford English Dictionary.
2. N.K. Acharya, 2011, Constitution of India, 3rd Edition, Asia Law House, Hyderabad, page no.65
3. Tenth Schedule under Constitution of India
4. People's Union for Civil Liberties v. Union of India, (2013) 10 SCC 1
5. Ankita Mitra, 2014, "What is the Importance of Elections in Democracy?",